

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

KHALIL LARKIN	:	CIVIL ACTION
	:	
v.	:	No. 23-1937
	:	
UPPER DARBY SCHOOL DISTRICT, et	:	
al.	:	

**ORDER**

AND NOW, this 31st day of January, 2024, upon consideration of Defendant Upper Darby School District's Motion to Dismiss (ECF No. 10), Plaintiff Khalil Larkin's opposition thereto, and Upper Darby's reply, and for the reasons set forth in the accompanying Memorandum, it is hereby ORDERED the Motion is GRANTED in part and DENIED in part as follows:

- The Motion is GRANTED as to Counts Three and Four of Larkin's Amended Complaint, which will be DISMISSED without prejudice.
- The balance of the Motion is DENIED.

BY THE COURT:

/s/ Juan R. Sánchez  
Juan R. Sánchez, C.J.